

REMARKS

Claims 1-11 and 14-20 are pending in the instant application. Claims 9 and 14-20 have been withdrawn by the Examiner. In view of the amendments and the following remarks, reconsideration and allowance of the instant application are respectfully requested.

Claims 1-8, 10, and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,995,346 to Schick et al. (hereinafter Schick) in view of Japanese Patent Publication 04-362530 to Ota (hereinafter Ota). Applicants respectfully traverse.

Claim 1 relates to a disk cartridge that includes a cartridge main body and a round plate-shaped disk rotatably housed within the cartridge main body. In the disk cartridge according to claim 1, the cartridge main body includes an opening facing the disk and a shutter which opens and closes the opening, and a part of the cartridge main body is formed in an approximately semicircular shape. In claim 1, *the cartridge main body includes an electric terminal adapted to electrically couple the disk cartridge and a drive device when the disk cartridge is inserted in the drive device*. Furthermore, in claim 1, the drive device *receives an electrical signal indicating the type of medium from the disk cartridge, and the drive device executes a process in accordance with the type of medium*.

The Office Action relies on Schick as disclosing various features of claim 1. However, it does not appear that the Office Action relies on Schick as disclosing an electric terminal adapted to couple the disk cartridge and the drive device, since no specific allegation that Schick discloses an electric terminal appears in the Office Action. The Office Action admits that Schick does not disclose a “cartridge main body having electric terminals in a region other than a region in the approximately semicircular shape and that transmit electronic signals indicating the type of the medium from the electric terminal to the external device” (Office Action; page 4, top). Furthermore, Schick does not even mention a terminal of any sort.

The Office Action apparently asserts that Ota discloses a terminal by cartridge identification sensor 113 (Office Action; page 4, top; citing Ota; constitution). However, the Ota constitution does not even mention a terminal, nor more specifically an electric terminal that is adapted to electrically couple the disk cartridge and a drive device when the disk

cartridge is inserted in the drive device, as recited in claim 1. There is no indication in Ota that cartridge identification sensor 113 is an electric terminal as recited in claim 1, but rather there is only an indication that the sensor “reads the identifier of the cartridge and discriminates the type of the optical disks” (Ota; constitution).

Likewise, Ota does not disclose or suggest the feature of *receiving an electrical signal indicating the type of medium from the disk cartridge*. As Ota states:

the cartridge identifier is formed in the fixed position of the case body at the optical disc cartridge. *This cartridge identifier comprises multiple holes and various specifications of the optical disk, such as whether the optical disk built in is CAV or CLV, are shown by the absence or presence of each hole.*

(Ota; paragraph 0026; emphasis added). Therefore, it is apparent that, not only does Ota not disclose terminals, but Ota also does not disclose or suggest the feature of receiving an electrical signal indicating the type of medium from the disk cartridge, as recited in the claims. Therefore, for at least this additional reason, claim 1 is allowable.

Additionally, none of the references disclose or suggest the feature of the drive device executing a process in accordance with the type of medium. The specification of the present application indicates that “a medium to be housed within the cartridge main body can be selected from a plurality of types of mediums”. In the embodiment of claim 1, the drive device receives an electrical signal indicating a type of a medium before executing some process as defined in claim 1. The Office Action asserts that “Ohira also discloses a process in accordance with the type of medium (Figure 3)” (Office Action; page 4, top). However, Ohira is not relied on in the rejection. Therefore, either this is a typographic error and the reference should be Ota, or the rejection should be withdrawn. If the reference is properly Ota, Applicants respectfully submit that figure 3 does not give any suggestion that the drive device executes a process in accordance with the type of medium. Therefore, for at least this additional reason, claim 1 is allowable.

Claims 2-8 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable.

Additionally, claim 2 recites the feature that the cartridge main body has *the electric*

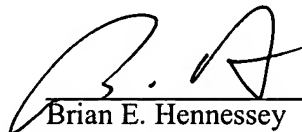
terminal in a region other than a region in the approximately semicircular shape. It is respectfully submitted that, since Ota does not disclose a terminal, nor more particularly an electric terminal, Ota also does not disclose or suggest this feature. More specifically, neither Ota nor Schick disclose or suggest a terminal in a region other than a region in the approximately semicircular shape. Therefore, for at least this additional reason, claim 2 is allowable.

Independent claim 10 includes features similar to those discussed above in regard to claim 1, and therefore for at least the same reasons as claim 1 is allowable, claim 10 is allowable. Claim 11 depends from claim 10 and is therefore allowable for at least the same reasons as claim 10 is allowable.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian E. Hennessey
Reg. No. 51,271

CUSTOMER NUMBER 026304
Telephone: (212) 940-6331
Fax: (212) 940-8986 or 8987
Docket: SCEP 21.084 100809-00238)
BEH:fd